



Kerry Gee
<kcgee@xmission.com>

07/23/2003 03:06 PM

Jeff schoenbacher
To <jschoenbacher@parkcity2002.com>, Jim
Christiansen/EPR/R8/USEPA/US@EPA
TOM Bakaly <TOM@parkcity2002.com>, TOM DALEY
<TDALEY@parkcity2002.com>, Ron Ivie
<RIvie@parkcity2002.com>, PATRICK PUTT
cc <PUTT@parkcity2002.com>, Mark Harrington
<MARK@parkcity2002.com>, ERIC DEHAAN
<DEHAAN@parkcity2002.com>, Kevin Murray
<kevin.murray@llgm.com>

bcc

Subject Re: Action Memo

Hello everyone:

Park City has requested some technical information regarding the repositories. I am in the process of preparing a report as an appendix to a technical design memorandum that is being prepared that will guide the remediation construction in Empire Canyon. This report is referenced in the Protocol that has been modified and will be sent to Jeff and Eric this afternoon. I anticipate that this repository report will be complete on Friday.

I understand the City's position with regards to the material being consolidated. They need to know where it is, what it is and how it is placed. This will give them assurance that should somebody 10 years from now apply to modify an area near one of the repository sites they will have the necessary information they need to guide their decision on the application. It is a very important matter.

Right now, at the Daly West mine, the repository is completely within the bounds of the waste pile. In lower Empire canyon, the repository is within the slide and the placement of this material will be guided by geotechnical engineers. Filling of the slide with excess construction material from the Flagstaff project has long been anticipated and any remediation material that is not geotechnically sound will not go into the slide repository. Generally speaking, the mine related materials are geotechnically sound when placed properly.

I will get this report out on Friday. I hope it helps Park City address these issues.

Thanks

Kerry

----- Original Message -----

From: <Christiansen.Jim@epamail.epa.gov>

To: "Jeff schoenbacher" <jschoenbacher@parkcity2002.com>

Cc: "ERIC DEHAAN" <DEHAAN@parkcity2002.com>; <kcgee@unitedpark.com>; "Mark Harrington" <MARK@parkcity2002.com>; "PATRICK PUTT" <PUTT@parkcity2002.com>; "Ron Ivie" <RIvie@parkcity2002.com>; "TOM DALEY" <TDALEY@parkcity2002.com>; "TOM Bakaly" <TOM@parkcity2002.com>

Sent: Wednesday, July 23, 2003 2:28 PM
Subject: Re: Action Memo

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- > A follow up thought as well that may help with the overall process.
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- > There are a few issues in the watershed where "repositories" and
- > movement of waste come into play. The ones I'm aware of are moving
- > Empire Canyon waste around in Empire Canyon to a repository(s) as we are
- > discussing; moving waste from Empire Canyon and/or Silver Maple Claims
- > to Richardson Flats, in effect a repository; and moving miscellaneous
- > waste to Empire Canyon or Rich Flats (I think UPCM is discussing this in
- > the context of utilities trenches with PCMC, but I don't know the
- > details). I'm obviously more concerned with the 1st two, though from
- > an environmental standpoint have no concerns with the latter as long as
- > it is handled well, which I think is what PCMC is trying to ensure.
- > Given the fact there is mine waste all over Park City, I'm certainly not
- > concerned about consolidating some of it in a good place - both
- > Richardson Flats and Empire Sites are better than below Prospector or
- > City Hall, which aren't the worst places for it.
- >
- > We discussed the CERCLA off-site rule. I have dealt with moving waste
- > off-site to "other than a permitted landfill" twice. Once, the site was
- > defined very broadly to include the area of the repository. No problem
- > because of the specific layout of the area, and there was only one
- > CERCLIS site. Second, we were moving waste from one CERCLIS site to
- > another. Our OSR people eventually approved that because (1) we clearly
- > showed no threat to the environment, and (2) most importantly we had a
- > decision document (EPA Record of Decision or Action Memo) and an
- > enforceable agreement on each site that said it was ok with EPA and with
- > which we could compel action if there were any problems.
- >
- > Both are kind of the case in Park City. Certainly the entire watershed
- > is really one big area of concern, though administratively there are
- > many sites and we've had to define those for many other reasons. So, we
- > can't lean on that alone, but nonetheless the argument can be made.
- > More importantly, at both Empire and Richardson, United Park will be
- > under legal agreement with EPA for ongoing maintenance of both sites,
- > with specific requirements for post-cleanup plans and actions - similar
- > to your agreement with the VCP. So, from both perspectives, I think we
- > have a strong argument for moving waste from one area to the other and
- > there are many safeguards. UDEQ Superfund folks agree.
- >
- > I hope that gives you guys some comfort from the Fed side. We can use
- > our process to help meet your concerns, which are really the same as
- > mine. For instance, we can require that certain local requirements be
- > met as part of post cleanup - our benefit would be added certainty that
- > the repository remains good over the long term. If there are binding
- > local requirements, we may be able to include that as applicable, or
- > at least appropriate, regulation that UPCM must comply with. That kind
- > of stuff is what I'm looking for in terms of input on the AOC, and I
- > think that is what you are trying to flush out.
- > Hope that helps.

>
> Jim
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> Jeff schoenbacher
> <jschoenbacher@parkci To: Jim
Christiansen/EPR/R8/USEPA/US@EPA
> ty2002.com> cc: ERIC DEHAAN
<DEHAAN@parkcity2002.com>, Mark
> Harrington
<MARK@parkcity2002.com>, PATRICK PUTT
> 07/22/03 11:44 AM
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<RIvie@parkcity2002.com>, TOM DALEY
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<TDALEY@parkcity2002.com>, TOM Bakaly
>
<TOM@parkcity2002.com>, kcgee@unitedpark.com
> Subject: Re: Action

Memo

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> Hello Jim;
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> Regarding the "Action Memo" that Park City would like to have an
> opportunity to comment on to address the repositories. Currently, the
> city has requested additional information on these two units from UPCM
> by e-mail on 7/22/03. Since these units were not within the annexation
> agreement the city will require that the UPCM comply with the local
> jurisdiction development agreement. As a result, before the city can
> provide comments on the Action Memo, additional information will have to
> be obtained and evaluated, to determine zoning requirements for these
> units. Once we receive this information from UPCM, the city will
> provide USEPA with comments based on the information that we receive.
>
> Thanks and I hope to have this information to you soon.
>
> Jeff
>
>
> >>> <Christiansen.Jim@epamail.epa.gov> 07/09/03 02:17PM >>>
>
> It was a good, productive trip and meeting.
>
> (See attached file: empireactionmemo.wpd)
>
> This is a very first draft - only given to UPCM and UDEQ so far, just
> to
> get initial comments before I got too far. Perfect time for you to

- > take
- > a look and offer some suggestions.

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Jeff schoenbacher

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> <jschoenbacher@parkci.com> To: Jim

> Christiansen/EPR/R8/USEPA/US@EPA

> ty2002.com> cc:

>

> **Subject: Action**

> Memo

> 07/09/03 02:13 PM

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> Jim,

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> Good to see the other day. PC will attempt to get a revised EMS back

> to you in August as well as PC input on the action memo. Since it has

> already been written to some extent, the city would like a copy of it,

> so we can avoid duplication for what we provide you with.

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> Thanks again,

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> Jeff

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